

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. CANTOR et al.

Application No.: 10/617,489

Filing Date: July 10, 2003

For: METHODS, KITS AND ANTIBODIES
FOR DETECTING PARATHYROID
HORMONE

Examiner: C. Cheu

Group Art Unit: 1641

Confirmation No.: 4476

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & §1.98**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

The documents set forth on the enclosed Form PTO/SB/08a/b have not been submitted or cited in the present application. It is understood that the Office is under no obligation to consider these documents at this time; however, to complete the record they are submitted. Copies of the documents are enclosed. Applicants believe that the documents are in no way destructive of patentability of the allowed claims.

Document 2 is a Communication pursuant to Article 94(3) EPC, mailed on February 9, 2009, from corresponding European patent application number 06008181.7. Document number 3 is the response, which cites document number 1. Document numbers 4 and 8 are from Patent Interference No. 105,575 (MPT), which involves related application number 10/641,780. Document numbers 5, 13 and 14 are from related application number 11/894,367.

Document numbers 6, 7, 10 and 11 are from *Scantibodies Laboratory, Inc. v. Immunotopics, Inc.*, at the United States District Court for the Central District of California, Case No. CV 04-08871 MRP (MANx), appealed as Case No. 2008-1522 at the United States Court of Appeals for the Federal Circuit. This litigation involves U.S. Patent No. 6,689,566. The present application is a Continuation-in-Part of U.S. Patent No. 6,743,590, which is a Continuation-in-Part of U.S. Patent No. 6,689,566. Scantibodies Laboratory, Inc. is the assignee of the present application.

Document number 9 is from an Opposition proceeding against related EP Patent number 1 151 307. Document number 12 is from related application number 11/799,726. Document number 16 is from related application number 10/945,608.

Document numbers 17 and 18 are from application number 12/286,620. Applicants filed related application number 10/641,780 to provoke interference with application number 09/730,174. Application number 12/286,620 claims the benefit of application number 09/730,174.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **532212000623**.

Dated: July 20, 2009

Respectfully submitted,

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